

force and effect when a majority of the votes cast at some general election shall be given in favor thereof. To test the sense of the people on this subject, it shall be the duty of the Governor to order an election to be held thereon, on the first Monday in August, 1853, when it shall be the privilege of each and every voter to write upon his ballot his approval or disapproval of the law loaning two millions of dollars to railroad companies, by saying "for the loan," or "against the loan," or some words of like import. The result shall be returned as other election returns, to the respective chief-justices, whose duty it shall be forthwith to make return thereof to the Secretary of State, who shall, in presence of the Governor, on the sixtieth day after election, open, count and declare the vote.— If a majority of the votes given for Governor are in favor of the law, it shall take effect from the date of the Governor's proclamation announcing that fact."

Accepted by Mr. Palmer.

A message was received from the Senate, informing the House that the Senate had passed a bill for the benefit of the heirs of H. P. Chamberlain, deceased, originating in the House;

A bill to authorize the issuance of duplicate certificates of the Auditor and Comptroller of the State of Texas, with amendments;

A bill for the relief of Andrew J. Walker;

A bill supplementary to an act relating to land in Peters' Colony, approved February 10, 1852; and,

A bill to incorporate the Trinity Turnpike Company, originating in that body.

On motion of Mr. Throckmorton, the bill and amendments under consideration were made a special order of the day for 11 o'clock, to-morrow morning.

On motion of Mr. Tankersly, the House adjourned until half-past 9 o'clock A. M., to-morrow.

AUSTIN, Wednesday, February 2, 1853.

House met—roll called—quorum present.

Absentees: Messrs. Andrews, Bee, Camp, Crockett, Flanagan, Hamilton, Hartley, Howard, Neighbors, Patrick, Pollock, Reid, Rossy, Rowe, Thomson and Titus.

PETITIONS.

Mr. Neal presented the petition of John B. Houghtaling, and, on motion, referred to the committee on Public Debt.

Mr. Hamilton presented the petition of Jesse Burdett, and, on motion, referred to the committee on Private Land Claims, No. 1.

The committee on the Judiciary made the following report:

COMMITTEE ROOM, February 1, 1853.

To the Hon. D. C. DICKSON,

Speaker of the House of Representatives:

The committee on the Judiciary, to whom was referred a bill entitled an act for the relief of actual settlers on St. Joseph's Island, have considered the same, and have instructed me to report the same back to the House and recommend its passage. All of which is respectfully submitted.

B. E. TARVER, Chairman.

Report and bill received to come up in their order.

On motion of Mr. Stapp, the rule regulating the general order of business was suspended, and the report and bill taken up for further consideration.

Mr. Stapp moved to amend by inserting, "Matagorda and" before St. Joseph; adopted.

The yeas and nays were then taken upon the engrossment of the bill, and stood thus:

YEAS—Messrs. Speaker, Andrews, Bryan of B., Browder, Dunlap, Evans of B., Hardeman of N., Hardeman of C., Hord, Johnson, Jowers, Lawson, Maverick, McDade, Neal, Neighbors, Palmer, Reid, Rossy, Scott, Stapp, Stewart, Tankersly, Throckmorton, Turner and White—26.

NAYS—Messrs. Cannon, Charlton, Crabb, Daggett, Doom, Edwards, Evans of P., Fields, A. J. Hood, Hooker, Mabry, McFarland, Patrick, Rains, Randolph, Rowe, Runnels, Sims, Speights, Taylor of H., Thomson, Westmoreland and Wren—22.

So the bill was ordered to be engrossed.

Mr. Reid moved a suspension of the rule in order to take up a bill relating to half fees on sheriffs, &c.; lost.

The Judiciary committee made the following report:

COMMITTEE ROOM, February 2, 1853.

To the Hon. D. C. DICKSON,

Speaker of the House of Representatives:

The committee on the Judiciary, to whom was referred a bill to be entitled an act relative to the rights of married women, infants and persons laboring under other disabilities, have duly considered the same, and have instructed me to report it back

to the House, without amendments, and recommend its passage. All of which is respectfully submitted.

I. B. McFARLAND,

One of the committee.

Report and bill received to come up in their regular order.

The minority of the Judiciary committee made the following report:

[Copy not in manuscript journals.]

The Select committee on the Affairs of the German Emigration Company, made the following report:

To the Hon. DAVID C. DICKSON,

Speaker of the House of Representatives:

The undersigned of the Select committee, to whom was referred the memorial of the committee representing the German Emigrating Company and the creditors of said Company, beg leave to present a report and accompanying bill, which is the result of an amicable agreement between the various parties concerned, and to recommend that the same be referred (with accompanying papers) to the committee on the Judiciary.—Many cogent reasons, in the opinion of your committee, require that this whole matter be submitted to the Judiciary committee. Respectfully submitted, S. A. MAVERICK,
H. B. ANDREWS.

The committee on the Judiciary made the following report:

February 2, 1853.

To the Speaker of the House of Representatives:

The committee on the Judiciary having examined a bill to be entitled an act confirming the titles to land in Fisher & Miller's Colony, instruct the undersigned to report to the House a substitute for said bill, and recommend its passage.

BENJ. F. TANKERSLY,

One of the committee.

A message was received from the Senate, informing the House that the Senate had passed the following bills originating in that body:

A bill to amend the second section of an act amending an act authorizing and requiring the county courts to regulate roads;

A bill to be entitled an act supplementary to an act to incorporate the Texas and Louisiana Railroad Company, approved February 14, 1852;

A bill to amend an act entitled an act to incorporate the Galveston Steam Ferry, Freight and Tow-Boat Company;

A bill supplementary to an act to incorporate the town of Jasper;

A bill to incorporate Woodlawn Academy;

A bill supplementary to the act to establish the Galveston and Red River Railroad Company;

A bill for the relief of the heirs of Matthew Burnett; and

That the Senate have appointed a committee of three to act with a like committee on the part of the House to wait upon the Governor, and inform him that the two Houses have passed a resolution to adjourn on the 7th instant.

Messrs. Reaves, Dancy and Wilson, committee of the Senate.

The committee on State Affairs made the following report:

COMMITTEE ROOM, February 2, 1853.

To the Hon. D. C. DICKSON,

Speaker of the House of Representatives:

The committee on State Affairs have had under consideration a joint resolution instructing our Senators and requesting our Representatives in Congress to urge upon the General Government the propriety of entering into a treaty with Mexico for the return of fugitive slaves, and I am instructed unanimously, of course, to report said resolution back without amendments, and recommend its passage.

WILLIAM FIELDS, Chairman.

On motion, rule suspended; report and joint resolution taken up for further consideration, and read.

On motion, rule further suspended, joint resolution read third time and passed.

February 2, 1853.

To the Hon. D. C. DICKSON,

Speaker of the House of Representatives:

I am instructed by the committee on Enrolled Bills to report to the House an act for the relief of the heirs of H. P. Chamberlain, deceased, as being correctly enrolled.

Report accepted. BENJ. F. TANKERSLY.

The committee on Finance made the following report:

COMMITTEE ROOM, February 1, 1853.

Hon. D. C. DICKSON,

Speaker of the House of Representatives:

A bill for the relief of the heirs of L. Gilbert, having been

referred to the Finance committee, I herewith report the same back to the House and recommend its passage. All of which is most respectfully submitted.

GUY M. BRYAN, Chairman.

On motion, rule suspended; bill and report taken up for further consideration, and read and ordered to be engrossed.

On motion, rule further suspended; bill read third time and passed.

A message was received from the Senate, informing the House that the Senate had passed the following bills:

A bill for the relief of Joel Pierce;

A bill to incorporate the town of Indianola;

The committee on Public Lands returned the following bills and petitions back to the House, and asked to be discharged from the further consideration of the same:

The petition of Edwin Nash;

Petition of Jacob L. Briggs;

Petition of Owen J. Aldrige;

Petition of J. D. Hamilton;

Petition of John Lang;

Petition of James D. Hamilton; and

Petition of Mary Hamilton, of Jose Cassiano; and

A bill to relinquish the rights of the State to certain lands, beg leave to return the same to the House and ask to be discharged from the further consideration of the same.

W. F. EVANS, Chairman.

Report received to come up in its regular order.

The committee on Public Debt made the following report:
To the Hon. D. C. DICKSON,

Sir: The committee on Public Debt have instructed me to return the petition of Rupert & Lindenberg; also, the petition of G. B. Lamar, all asking that interest be allowed upon advances made to the late Republic of Texas, and ask that they be laid on the table.

J. W. SCOTT, Chairman.

Bill and report received to come up in their regular order.

Mr. Scott, chairman of the committee on Public Debt, reported back to the House the petition of A. Weyman, asking that an appropriation be made indemnifying him for his share in the tobacco prize money, and recommended its rejection.

Bill and report received to come up in their order.

Mr. Scott, chairman of the committee on Public Debt, reported back to the House the petition of A. Weyman, asking that interest be allowed him on an account for personal ser-

vices rendered in the navy of the late Republic of Texas, and recommended its rejection.

Bill and report received to come up in their regular order.

Mr. Scott, chairman of the committee on Public Debt, returned to the House the petition of Sophia J. St. John, and asked to be discharged from its further consideration.

Bill and report received to come up in their regular order.

Mr. Scott, chairman of the committee on Public Debt, reported back to the House the petition of Robert Hodges, asking indemnity for property destroyed by the enemy during the revolution, and recommended its rejection.

Bill and report received to come up in their regular order.

Mr. Scott, chairman of the committee on Public Debt, returned to the House the petition of Thomas W. Grayson, and recommended its reference to the committee on Public Lands.

The committee on Public Debt made the following report :
To the Hon. D. C. DICKSON,

Sir : The committee on Public Debt beg leave to return the petition of Peter MacGreal, and ask to be discharged from its further consideration.

J. W. SCOTT, Chairman.

Bill and report received to come up in their regular order.

To the Hon. D. C. DICKSON,

Sir : The committee on Public Debt, to whom was referred the petition of Mrs. Base, have instructed me to report the same back and recommend it be laid on the table.

J. W. SCOTT, Chairman.

Petition and report received to come up in their regular order.

To the Hon. D. C. DICKSON,

Sir : The committee on Public Debt have examined the petition of Temple C. Harris, and see no reason therein to depart from the established rule heretofore adopted in reference to his cause. They therefore report the same back and recommend its rejection.

J. W. SCOTT, Chairman.

Petition and report received to come up in their order.

To the Hon. D. C. DICKSON,

Sir : The committee on Public Debt have considered the petition of Bryant and Houghton, asking indemnity for property destroyed by the Mexicans during the revolution, and have instructed me to report the same back to the House and recommend its rejection.

J. W. SCOTT, Chairman.

Petition and report received to come up in their regular order.

Mr. Taylor of Fannin, one of the committee on Internal Improvements, reported that the said committee had examined the memorial of Wm. M. Spalding, asking leave to sue the State for ten thousand dollars damages on account of repealing an act passed the last session of the Legislature, conferring on him a certain franchise, and that they had declined granting the prayer of the petitioner, and recommend that the memorial lay upon the table.

Said committee reported a bill back to the House to encourage the deepening of the Anahuac Pass, at the mouth of the Trinity river, with the following amendments, and recommend its passage:

In section 2, ninth line, strike out from the word "than" to "outlet," in tenth line, and insert "now exists on the bar in said Anahuac Pass;" and in last line, same section, all after the word "naturally" in said section, and insert "on the bar in said Pass."

Bill and report received to come up in their order.

On motion, the rule was suspended, and the bill and amendments reported by the committee were taken up for consideration; amendments read and adopted.

Mr. Hartley proposed the following amendment:

Add to the end of last section—"Provided, that the legislature may, at any time after the deepening of said Pass to the depth of two feet as aforesaid, resume said franchise upon the payment to said Spalding or his assigns, of the sum of twenty-five thousand dollars;" adopted, and bill as amended, ordered to be engrossed.

On motion, rule further suspended, bill read third time and passed by a constitutional majority: yeas, 37; nays, 10.

The committee on Private Land Claims, No. 1, made the following report:

To the Hon. DAVID C. DICKSON,

Speaker of the House of Representatives:

The committee on Private Land Claims, No. 1, to whom was referred a bill to be entitled an act for the relief of Tacitus Clay, have examined the same, and have instructed me to report the same back to the House and recommend that it be laid on the table.

I. B. McFARLAND,

One of committee.

Bill and report received to come up in their regular order.

COMMITTEE ROOM, February 2, 1853.

To the Hon. D. C. DICKSON,

Speaker of the House of Representatives:

The committee on Private Land Claims, No. 1, have had under consideration the petition of John H. Keith, and have instructed me to report the petition back to the House and ask to be discharged from the same.

H. M. LAWSON,

Chairman, pro tem.

Bill and report received to come up in their regular order.

The committee on Private Land Claims, No. 2, made the following report:

To the Hon. D. C. DICKSON,

Speaker of the House of Representatives:

Your committee upon Private Land Claims, to whom was referred a bill for the relief of John Sise and other persons, with the amendments thereto made by the House, have had the same, with various other petitions for land also referred to them, under consideration, and after due examination into the evidence and merits upon which said claims to land are founded, have instructed me to report as heretofore in favor of John Sise, for 640 acres of land;

John A. Windal, assignee of Thomas Jones, for 1476 acres of land;

The heirs of Samuel McEarly, one labor of land;

Butler Hughes, 640 acres of land;

James Morris, one-third league of land;

Geo. W. Parish, 320 acres of land;

Russell Gorman, 320 acres of land;

G. W. Browning, one-third league of land;

Jackson J. Walker, 320 acres of land;

Charles R. Slaughter, 320 acres of land;

James W. Flanagan, assignee of William Middleton, 640 acres of land;

A. A. Whatley, assignee of Newton Kimbro, one league and labor of land;

A. A. Whatley, assignee of James Wallace, for one league and labor of land;

F. M. Weatherhead, assignee of Herschel Corzine, one league;

To the heirs of Thomas Hamilton, one-third of a league;

John Work, assignee of H. K. Hardin, one league and labor;

Also, to report in favor of the claims of John Hughes, 320 acres of land ;

Heirs of John C. Sullivan, 320 acres of land ;

Heirs of Lilly or Lyla Forsyth, one league and labor of land ;

Heirs of Eli W. Lawler, 1280 acres of land ;

Edward Morrison, 640 acres of land ;

Heirs of Albert Jackson, 640 acres of land ;

Margaret Clark, 640 acres of land ;

Andrew R. Jones, 320 acres of land ;

Mary Anthony, alias Mary Collins, 640 acres ;

Heirs of Hiram Friley, one league and labor of land ;

Matthew W. Cartwright, three-fourths league and labor ;

William McCoy, 640 acres of land ;

Carl Dorr, 320 acres of land ;

Silas M. Grace, 1280 acres of land ;

Elizabeth Berry, widow of William Landum, one league and labor of land ;

James H. Manning, one-third league of land ;

The heirs of Norman Austin, one-third league ;

John T. Davidson, one-third league of land ;

William R. Williss, one league and one labor of land ;

William Forbes, 320 acres of land ;

Heirs of Edward Little, 836 acres of land ;

John Stryker, one league and labor ;

Leven S. Largent, 640 acres of land ;

Patrick May, one-quarter league of land ;

Heirs of George Creth, one-third league ;

E. S. C. Robertson, administrator of Sterling C. Robertson, deceased, one league and labor of land, the head-right of deceased.

Robert Tippet, 320 acres of land ;

Heirs of Archibald Swords, one-third league ;

John H. Bostick, one-third league ;

G. C. Blackburn, 320 acres of land ;

Cyrus W. Eggery, one-third league of land ;

Thomas Dean, one-third league of land ;

Francis Moore, junior, two-thirds league and labor ;

Robert English, 320 acres of land ;

George Joy, 640 acres of land ;

To George W. Copeland, as assignee of Omy Weir, a certificate for 320 acres, amount of the conflict of Weir's survey with W. Prissick's survey ;

Maria Jesusa Trevino, one league and labor ;

To the heirs of T. Benson, one-third league of land ;

Confirmation of 640 acre certificate, No. 224, issued in Fayette county to Isaac Mullins, necessary in consequence of clerical error in its issue.

Joseph Bays, one league and labor.

N. B. CHARLTON, Chairman.

C. B. STEWART.

Committee report against the claims of Josiah Bishop, R. K. Hosmer.

On motion, the rule was suspended, and the bill and report taken up for consideration and read.

Mr. Bee proposed the following amendment:

Add—"And 320 acres of land to every person who was a citizen of the State on the 1st day of January, 1852, and never received land from either the Republic or State;" which, on motion, was laid on the table.

Mr. Mabry moved the previous question.

The question—"Shall the main question now be taken?" was put and carried.

The main question being the adoption of the substitute of the committee, was then put and carried affirmatively.

The yeas and nays were then taken on the engrossment of the bill, and stood thus:

YEAS—Messrs. Speaker, Andrews, Camp, Cannon, Charlton, Daggett, Doom, Dunlap, Evans of B., Evans of A., Flanagan, Hamilton, Hardeman of N., Hord, Lawson, Mabry, McFarland, Neal, Neighbors, Palmer, Patrick, Pollock, Rains, Randolph, Rowe, Runnels, Scott, Stapp, Stewart, Tankersly, Tarver, Taylor of F., Thomson, Throckmorton, Turner and White—36.

NAYS—Messrs. Bee, Bryan of B., Crockett, Evans of P., Hartley, A. J. Hood, Hooker, Johnson, Jowers, Maverick, Reid, Rossy, Sims, Speights, Taylor of H. and White—16.

So the bill was ordered to be engrossed.

Mr. Palmer moved a further suspension of the rule, upon which the yeas and nays were taken and stood thus:

YEAS—Messrs. Speaker, Andrews, Bryan of B., Camp, Cannon, Charlton, Crockett, Daggett, Doom, Dunlap, Edwards, Evans of A., Fields, Flanagan, Hamilton, Hartley, Hardeman of C., Hardeman of N., A. J. Hood, Hord, Lawson, Mabry, McDade, McFarland, Neal, Neighbors, Palmer, Patrick, Rains, Randolph, Rowe, Runnels, Scott, Stapp, Stewart, Tankersly, Tarver, Taylor of F., Thomson, Throckmorton and Turner—41.

NAYS—Messrs. Bee, Evans of B., Evans of P., Hooker,

Johnson, Jowers, Maverick, Reid, Rossy, Sims, Speights, Taylor of H. and White—13.

So the rule was suspended, bill read third time and passed.

The committee on Engrossed Bills made the following reports:

COMMITTEE ROOM, February 2, 1853.

To the Hon. DAVID C. DICKSON,

Speaker of the House of Representatives:

The committee on Engrossed Bills have examined a bill to be entitled an act to regulate the election of district surveyors, and a bill to be entitled an act to incorporate the town of Richmond, and report said bills to be correctly engrossed. Respectfully,

A. J. HOOD, Chairman.

Report accepted.

COMMITTEE ROOM, February 1, 1853.

Hon. D. C. DICKSON,

Speaker of the House of Representatives:

The committee on Engrossed Bills have examined the following bills:

A bill to be entitled an act to regulate railroad companies;

A bill for the relief of Ulysses Aiquir; and,

A joint resolution concerning the public archives of Bexar county, and report said bills correctly engrossed.

A. J. HOOD, Chairman.

Report accepted.

Hon. D. C. DICKSON,

Speaker of the House of Representatives:

The committee on Engrossed Bills have examined a joint resolution concerning the necessity of a new treaty with Mexico, and find the same correctly engrossed. All of which is respectfully submitted.

H. B. ANDREWS,

One of committee.

Accepted.

The committee on Counties and County Boundaries made the following report:

COMMITTEE ROOM, February 2, 1853.

To Hon. DAVID C. DICKSON,

Speaker of the House of Representatives:

Your committee on Counties and County Boundaries, to whom was referred the petition of sundry citizens of Goliad

and other counties, praying that a new county be created out of the territory therein set forth, have had the same under consideration, and have instructed me to report the accompanying bill and recommend its passage.

B. F. NEAL,

One of committee.

On motion of Mr. Tankersly, a bill supplementary to an act regulating proceedings in the District Courts, approved May 13, 1846, was taken up, read third time and passed.

Mr. Fields, one of the committee on Claims and Accounts, reported that said committee had carefully examined the petition of William Sanderson, administrator of Harvey Sanderson, deceased, and finding the claim of petitioner meritorious, reported a bill for his relief and recommended its passage.

Report and bill received to come up in their order.

Mr. Flanagan, one of the committee on Engrossed Bills, reported that said committee had examined and found correctly engrossed, a bill for the relief of the heirs of L. Gilbert, deceased; report accepted.

On motion of Mr. Bryan of Brazoria, a bill supplementary to an act to establish the La Salle and El Paso Railroad Company, originating in the Senate, was taken up, read third time and passed by a constitutional majority: yeas, 44; nays, 4.

Mr. White in the Chair.

On motion of Mr. Daggett, a bill to incorporate and establish the New Orleans, Texas and Pacific Railroad Company, was taken up, when a motion was made to dispense with the reading of the bill, which motion was sustained by a vote of 29 yeas to 22 nays.

The first and second amendments to the bill proposed by the committee on Internal Improvements, were read and adopted.

The third amendment of the committee having been read,

Mr. Hartley proposed the following as a substitute for the same:

Strike out "sixteen sections," and "thirty-two sections," wherever they occur in the bill, and insert "eight sections."

After some discussion, on motion, the House adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

House met—roll called—quorum present.

The bill to incorporate and establish the New Orleans, Texas and Pacific Railroad Company, not having been disposed of when the House adjourned, again came up for consideration.

Question pending on Mr. Hartley's substitute for the third amendment of the committee.

Mr. Hartley, on leave of the House, withdrew his substitute for the amendment.

After which, Mr. Hartley proposed the following amendment as a substitute for the third amendment of the committee:

Strike out the 18th and 19th sections, and insert:

SEC. 18. There shall be granted to said company eight sections of land of six hundred and forty acres each, for every mile of railway actually completed by them and ready for use within this State; and upon the application of the president of the company, or any duly authorized agent thereof, stating that any section of five miles or more of said railway has been completed and is ready for use, it shall be the duty of the Comptroller of Public Accounts to require the State engineer, or a commissioner to be appointed by the Governor, to examine said railway, and upon his certificate that said section of said railway has been completed in a good and substantial manner, and is ready for use, the Comptroller shall give information of that fact to the Commissioner of the General Landoffice, whose duty it shall be to issue to said company land certificates to the amount of eight sections of land, of six hundred and forty acres each, for each and every mile of railway thus completed and ready for use; such certificates shall be for six hundred and forty acres each, and shall be located upon any unappropriated public domain of the State of Texas, within twelve months from the issuing thereof, which date shall appear upon the face of said certificate; and upon the return of field-notes of any survey made by virtue of any certificate thus issued, it shall be the duty of the Commissioner of the General Landoffice to issue patents to said company in their corporate name, one-fourth of which said lands thus patented shall be alienated by the company in six years, one-fourth in eight years, one-fourth in ten years, and the other fourth in twelve years, so that the whole of the lands thus granted shall pass from the hands of the company within twelve years from the date of the patents thus issued.

The yeas and nays were then taken upon the adoption of the substitute, and stood thus:

YEAS—Messrs. Speaker, Andrews, Bee, Bryan of B., Camp, Cannon, Crabb, Crockett, Doom, Dunlap, Evans of P., Fields, Hamilton, Hartley, Hardeman of N., Hooker, Johnson, Jowers, Lawson, Mabry, Maverick, McDade, McFarland, Neal, Palmer, Patrick, Pollock, Randolph, Reid, Rossy, Runnels, Scott,

Sims, Stapp, Tankersly, Taylor of F., Thomson, Throckmorton, Turner, White and Wren—40.

NAYS—Messrs. Charlton, Daggett, Edwards, Evans of A., Flanagan, A. J. Hood, Neighbors, Rains, Rowe, Speights and Taylor of H.—11.

So the substitute was adopted in lieu of the 3d amendment proposed by the committee.

A message was received from the Senate, informing the House that the Senate had passed

A bill to determine what lands have been forfeited ;

A bill to amend the 9th and 10th sections of an act to regulate the license and practice of attorneys and counsellors at law, approved May 12, 1846 ;

A bill for the relief of the proprietors of the town of Sabine ;

A bill relating to the claims of certain creditors of the late Republic of Texas ;

A bill to prohibit the depositing of cotton seed outside of enclosures ;

A bill for the relief of Alexander McKinzie ;

A bill to authorize Bartlett Sims to raise a location therein named, and locate the same upon any vacant land ;

A bill supplementary to an act granting to settlers on public domain preemption privileges, originating in the House.

A bill to be entitled an act to create the thirteenth judicial district, originating in the House ;

A bill to create the counties of Cameron, Hidalgo, Starr, Nueces, San Patricio, Presidio and El Paso, into separate land districts ;

A bill to incorporate the town of Mount Vernon.

Mr. Mabry proposed the following amendment :

Strike out "eight" where it occurs in the substitute, and insert "sixteen."

When Mr. Scott moved to lay it upon the table, upon which the yeas and nays were taken and stood thus :

YEAS—Messrs. Speaker, Bee, Andrews, Bryan of B., Camp, Crabb, Crockett, Doom, Dunlap, Fields, Hamilton, Hartley, Hardeman of N., Hooker, Johnson, McDade, McFarland, Neal, Palmer, Patrick, Reid, Rossy, Runnels, Scott, Sims, Stapp, Stewart, Tankersly, Thomson, Throckmorton, Turner, White and Wren—33.

NAYS—Messrs. Cannon, Charlton, Daggett, Edwards, Evans of B., Evans of A., Flanagan, Hardeman of C., A. J. Hood, Jowers, Lawson, Mabry, Maverick, Neighbors, Pollock, Rains,

Randolph, Rowe, Speights, Taylor of H. and Taylor of F.—
22.

So the amendment was laid on the table.

Mr. Doom offered the following amendment:

Strike out "five miles," and insert "ten miles."

Which, on motion, was laid on the table.

Mr. Edwards offered the following amendment:

Insert between the words "Starr" and "of," the names T. G. Brooks, George L. Clap and N. B. Charlton; adopted.

Mr. Pollock offered the following amendment:

Strike out "eight sections," wherever it occurs in the amendment, and insert "twelve sections."

Which, on motion, was laid on the table.

Mr. Reid offered the following amendment:

Strike out "eight sections," wherever it occurs in the bill, and insert "no sections."

Which, on motion, was laid on the table.

The question then recurring upon the adoption of the original amendment of the committee, as substituted by Mr. Hartley, was put and carried affirmatively.

Mr. Edwards proposed the following amendment:

Add additional section—"Sec. 21. That the company chartered by this act are hereby authorized to consolidate and act in connection with the Texas and Pacific Railway Company; *provided*, that said companies may mutually concur in such consolidation;" adopted.

When Mr. Hartley offered the following as an amendment to Mr. Edwards' amendment, which was accepted by Mr. Edwards:

Provided, also, that said companies, when so consolidated, shall not be entitled in all to a grant of more than eight sections of land, of six hundred and forty acres each, to the mile."

Mr. Doom then proposed the following amendment:

Amend the first section by adding the names of David G. Hardin, John R. Burk, Albert Adams and Henry W. Bendy.

Mr. White in the Chair.

Mr. Charlton moved to lay Mr. Doom's amendment on the table.

Mr. Tankersly moved to amend the motion by adding "and bill."

Mr. Sims moved that the House adjourn until half-past 9

o'clock, to-morrow, upon which the yeas and nays were taken and stood thus : yeas, 19 ; nays, 34.

So the House refused to adjourn.

On motion, the House adjourned until half-past 9 o'clock A. M., to-morrow.

AUSTIN, Thursday, February 3, 1853.

House met—roll called—quorum present.

Absentees—Messrs. Bee, Browder, Hartley, Hord, Howard, Johnson, Maverick, McFarland, Neal, Pollock, Reid, Stapp, Tarver, Titus and Westmoreland.

A message was received from the Senate informing the House that the Senate had passed

A bill for the relief of Antonio Menchaca ;

A bill to incorporate the Tyler and Corsicana railroad company ;

And had passed the following bills originating in the House :

A bill relating to the fiscal affairs of the late Republic of Texas :

A bill entitled an act to limit the Boards of Land Commissioners, and more clearly to define their duties ;

A bill to be entitled an act to incorporate the city of Brownsville ;

A bill to be entitled an act to create the county of Hill ;

A bill to be entitled an act to authorize the County Court of Comal county to levy and collect a special tax ;

A bill to be entitled an act repealing the second section of an act passed on the tenth day of February, 1852, changing the name of Antoinette Scott and Sidney Way to that of Devcreaux ;

A bill to amend an act to create the county of Hidalgo ; and that they had instructed the Secretary of the Senate to request the House of Representatives to return to the Senate, a bill to be entitled an act to create the counties of Cameron, Hidalgo, Starr, Webb, San Patricio, Presidio and El Paso into separate land districts.

Mr. Tankersley moved a suspension of the rules regulating the general order of business, in order to take up and consider the Senate's bill to incorporate the Andrew Female College ; carried, and bill read first time.

On motion of Mr. Wren, the rule was suspended, bill read second time.